

98 Rec PCT/PTO 07 DEC 2001
#8

ATTENTION: PCT LEGAL OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
SACCO, et al.

* Attorney Docket No.: 3695-0101P

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Serial No.: 09/486,660

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Int'l. Application No.: PCT/IT98/00231

* Art Unit:

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I.A. Filing Date: 08/11/98

* Examiner:

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Title: TRANSGENIC ANIMALS FOR THE
STUDY OF BIOLOGICAL, PHYSICAL
AND CHEMICAL TOXIC AGENTS

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December 7, 2001

**SECOND SUPPLEMENTAL RENEWED REQUEST FOR STATUS
UNDER 37 CFR 1.42 AND
RENEWED PETITION UNDER 37 CFR 1.47(A)**

RECEIVED

13 DEC 2001

Loyal Staff
International Division

Box: PCT
Assistant Commissioner for Patents
Washington, DC 20231

Attention: PCT Legal Office

Sir:

Supplementarily to the Renewed Requests & Petitions that were filed on September 28, 2001 and October 29, 2001, we have now received a copy of a letter from Sylvie Roncucci, one of the heirs of deceased inventor Romeo Roncucci. Even though Ms. Roncucci had previously signed a Declaration for this application (which was technically defective), she now

refuses to execute an appropriate Declaration for the subject application.

Copies of her letter in French and in English translation are enclosed.

The subject U.S. patent application names six inventors, one of whom, Romeo Roncucci, is deceased. Mr. Roncucci left four heirs: Sylvie Roncucci, Rachele Roncucci, Regine Roncucci, and Roxanne Roncucci. Despite repeated attempts, Applicants have not been able to obtain execution of the appropriate application papers by Ms. Delachet on behalf of Roxanne Roncucci. Sylvie Roncucci also refuses to execute the appropriate application papers. Applicants have supplied copies of the appropriate application papers executed on behalf of Rachele Roncucci and Regine Roncucci and by all of the living inventors.

Applicants therefore respectfully renew their petition under the provisions of 37 CFR 1.47(a) that the subject U.S. patent application be accepted and processed by the USPTO in order to preserve the rights of the parties and to prevent irreparable damage. The fee set forth in 37 CFR 1.17(i) accompanied the original Petition & Request.

Should the PCT Legal Examiner wish to discuss any aspect of this matter with Applicants' representative, the PCT Legal Examiner is

SN 09/486,660
Renewed Request & Petition

respectfully requested to telephone Richard Gallagher (Reg. No. 28,781) at (703) 205-8008.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17, particularly, any extension of time fees.

Respectfully submitted,
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Joe McKinney Muncy
f/ Reg. No. 32,334

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Enclosed:

Sylvie Roncucci letter (French)
Sylvie Roncucci letter (English)

Sylvie RONCUCCI
Via Thaon di Revel 1, 12
20159 Milano
ITALIA

Gène Control S.A.
9, rue de Boissonas
Bâtiment OPI
Case Postale 227
CH-1211 -Genève 24

Milan, le 19 novembre 2001

Refus de signer les documents relatifs à la demande de brevet :
Demande de brevet aux Etats-Unis No. 09/486.660 du 28 février 2000
"TRANSGENIC ANIMALS FOR THE STUDY OF BIOLOGICAL PHYSICAL AND
CHEMICAL TOXIC AGENTS"

Mesdames, Messieurs,
J'accuse réception des documents relatifs à la demande de brevet susmentionnée, que vous m'avez envoyés par courrier DHL en date du 25 septembre 2001. Notamment, de la Déclaration cataloguant tous les inventeurs, leur nationalité et leur droit sur l'invention et accompagnée d'une feuille annexée m'étant adressée en tant qu'héritière de l'inventeur M. Roméo RONCUCCI (décédé).

Par la présente, je vous confirme que pour des motifs personnels, je ne signerai pas ladite Déclaration.

Je vous prie d'agréer, Mesdames, Messieurs, l'expression de mes sentiments distingués.

Sylvie Roncucci



Sylvie RONCUCCI
Via Tha n di R vel, 12
20159 Milan
ITALIA

Gene Control S.A.
9, rue de Bolssonas
Bâtiment OPI
Case Postale 227
CH - 1211 - Genève 24

Milano, November 19, 2001

Refusal to sign Application Papers related to:
US Patent Application No. 09/486,660 filed February 28, 2000
"TRANSGENIC ANIMALS FOR THE STUDY OF BIOLOGICAL PHYSICAL AND
CHEMICAL TOXIC AGENTS"

Dear Sirs,

I acknowledge safe receipt of the Application Papers concerning the above-mentioned Patent Application, that you sent to me by DHL Courier on September 25, 2001. Namely, the Declaration identifying each inventor, their citizenship and their rights on the invention with an added page at my intention as Heir of the inventor M. Romeo RONCUCCI (deceased).

This is to confirm, that for personal reasons, I will not sign said Declaration.

Yours Faithfully,

Sylvie Roncucci

Roncucci